

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue (Endowments) Department – Disciplinary action against Sri G.Laxmana, Assistant Commissioner of Endowments Department (Retired), Sri Laxmi Venkateswara Swamy Temple Manyamkonda (V) Mahaboobnagar District- Certain irregularities committed – Imposed punishment of 15% (fifteen percent) cut in pension besides recovery of an amount of Rs.19,357-00 - Sri G.laxman DCED filed OA No 9080/2010 in the Hon'ble Tribunal and obtained orders reducing the punishment from 15% to 5% besides recovery of an amount of Rs.19,357/- from the pensionary benefits under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Orders of Hon'ble Tribunal implemented – Orders Issued.

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REVENUE (VIGILANCE.IV.1) DEPARTMENT

G.O.Ms.No. 157

Dated:24 .04.2014.

Read the following : -

- 1)From the Commissioner, Endowments Department, Hyderabad Letter in Rc.No.V1/28557/1999, dated 22.11.2006.
- 2)Govt. Memo 54504/Vig.IV.1/2012-2 dated 31.01.2007
- 3)Explanation of Sri G. Lakshman Deputy Commissioner of Endowments Department (Retired) dated 8.4.2007
- 4)Government Memo 54504/Vig.IV.1/2012-4 dated 08.05.2007
- 5)From Commissioner of Endowments Department Lr.Rc.No.V1/28557/1999, dated 28.1.13 and 18.2.2013.
- 6)Government Lr.No.54504/Vig.IV.1/2012-9 dated 21.02.2013.
- 7)From Secretary, A.P.P.S.C. Lr.No.456/RT/3/2013 dated 26.02.2013.
- 8) G.O Ms. No.183 Rev (Vig.IV.1) Dept., dated 08.04.2013.
- 9) Orders of the Hon'ble in OA No 9080/2010 dated 08/10/2013 filed by Sri G.laxmana DCED (Retd).

ORDER:

In the reference 1st read above, the Commissioner of Endowments Department informed that Sri G. Laxmana, former Assistant Commissioner and Executive Officer (now retired) committed certain irregularities in the administration of Sri Lakshmi Venkateswara Swamy Temple, Manyamkonda (V), Mahaboobnagar District and as many as (8) eight charges were framed against him, vide Rc.No.E1/28557/1999, dated 02.07.2001. He also informed that the Joint Commissioner and Executive Officer, Sri Lakshmi Narasimha Swamy Temple, Yadagirigutta, Nalgonda District was appointed as Enquiry Officer vide Rc.No.V1/28557/1999, dated 03.02.2004. The Enquiry Officer submitted his enquiry report in Rc.No.A1/548/2004, dated 15.07.2004. As per the enquiry report out of (8) eight charges (03) three charges were held proved. A copy of the Enquiry report was communicated to the Charged Officer to submit his explanation on the proved charges vide Rc dated 30.08.2004. The Charged Officer submitted his further explanation on 17.11.2004. Since the Charged Officer retired from service on 30.06.2004, the Commissioner of Endowments Department referred the case to Government, for suitable punishment besides recovery of an amount of Rs.19,357/- from the pensionary benefits of Sri G.Laxmana, former Assistant Commissioner and Executive Officer (now retired), Endowments Department as per Rule 9 (1) of Andhra Pradesh Revised Pension Rules, 1980 against him.

(P.T.O)

2. The Government examined the matter and took a provisional decision to impose a penalty of 15% (fifteen percent) cut in pension besides recovery of an amount of Rs. 19,357/- (Rupees Nineteen thousand three hundred and fifty seven only) from the pensionary benefits of Sri G.Laxmana, Assistant Commissioner and Executive Officer (Retired) and accordingly issued a show cause notice vide reference 2nd read above under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 to Sri G.Laxmana, Assistant Commissioner and Executive Officer (Retired) as to why the punishment of 15% (fifteen percent) cut in pension besides recovery of an amount of Rs. 19,357/- (Rupees Nineteen thousand three hundred and fifty seven only) from the pensionary benefits should not be imposed on him for the charges held proved.

3. In reply, the charged Officer submitted his further explanation in his letter 3rd read above, Government have examined the same and found that the explanation is not convincing with reference to facts of the case and therefore, decided to impose a penalty of 15% (fifteen percent) cut in pension besides recovery of an amount of Rs. 19,357/- (Rupees Nineteen thousand three hundred and fifty seven only) from the pensionary benefits against Sri G. Laxmana, Assistant Commissioner and Executive Officer (Retired).

4. In the reference 6th read above, the Government referred the matter to Andhra Pradesh Public Service Commission for their concurrence as required under Andhra Pradesh Revised pension Rules, 1980. In the reference 7th read above, the Andhra Pradesh Public Service Commission has opined that 15% cut in pension, as proposed, seems disproportionate when recovery is also being effected for the charges proved and advised that 5% (five percent) cut in pension be imposed against Sri G.Laxmana Executive Officer (Retired).

5. However, the Government after careful examination have imposed the punishment of 15% (fifteen percent) cut in pension besides recovery of an amount of Rs. 19,357/- (Rupees Nineteen thousand three hundred and fifty seven only) from the pensionary benefits against Sri G. Laxmana, Assistant Commissioner and Executive Officer (Retired) vide reference 8th read above.

6. In the reference 9th read above, Sri G.Laxmana Deputy Commissioner of Endowments Department (Retired) has filed OA No 9080/2010 in the Hon'ble Tribunal and the Hon'ble Tribunal in its orders dated 08.10.2013 has ordered as follows:

"So far as punishment of 15% cut in pension is concerned, we are of the considered view that it is disproportionate to the charges held proved against the applicant. Therefore, we are inclined to modify the punishment.

In the result, the O.A. is allowed in part. The finding of the 1st Respondent that the applicant is guilty of Charge Nos. 1,2 and 7 is confirmed and the punishment of 15% cut in pension imposed against the applicant is modified to that of 5% cut in pension besides recovery of Rs. 19,357/- from the applicant. No order as to costs."

7. The Government have examined the orders of Hon'ble Andhra Pradesh Administrative Tribunal dated 08.10.2013 in O.A.No.9080/2010 filed by Sri G.Laxmana, Deputy Commissioner of Endowments Department (Retired) and decided to implement the same.

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9. Accordingly, Government hereby implement the orders of the Hon'ble Tribunal dated 08.10.2013 in O.A.No.9080/2010 and impose punishment of 5% (five percent) cut in pension besides recovery of an amount of Rs. 19,357/- (Rupees Nineteen thousand three hundred and fifty seven only) from the pensionary benefits against Sri G. Laxmana, Assistant Commissioner and Executive Officer (Retired) instead of 15% cut in pension earlier orders in the reference 8th read above.

7. The Commissioner of Endowments Andhra Pradesh, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.VENKATESWARA RAO,
SECRETARY TO GOVERNMENT.

To

Sri G. Laxmana, Assistant Commissioner and Executive Officer (Retired)
through Commissioner of Endowments A.P., Hyderabad.

The Commissioner of Endowments A.P., Hyderabad. **(w.e)** (With a request to serve the copy to the individual and send the served copy to Government)

Copy to:

The Government Pleader for Revenue (Ser) A.P.A.T., Hyderabad for information with reference to OA No 9080/2010.

The Secretary, A.P. Public Service Commission,
Hyderabad for information.

The P.S to Principal Secretary to Endowments.
Stock File/ Spare Copy

// FORWARDED BY : : ORDER //

SECTION OFFICER